

AN ORDINANCE BY: *CLAIR MULLER & Lee Morris*

00-0-1863

Clair Muller

AN ORDINANCE AMENDING PART 6 CHAPTER 4, ARTICLE C, SECTION 6-4022 OF THE LAND DEVELOPMENT CODE OF THE CITY OF ATLANTA PERTAINING TO THE COMPOSITION, QUALIFICATIONS AND TERMS OF OFFICE OF THE BOARD OF ZONING ADJUSTMENT FOR THE PURPOSE OF CLARIFYING THE METHOD BY WHICH MEMBERS ARE NOMINATED TO THE BOARD; AND FOR OTHER PURPOSES

WHEREAS, the Board of Zoning Adjustment was created and established for the purpose of exercising and performing the all of the functions, powers and duties of a board of zoning appeals which are now or hereafter authorized by general or local act of the General Assembly of Georgia and by ordinance and such additional functions, powers and duties as may be prescribed by this Council; and

WHEREAS, the Zoning Committee has established a Subdivision Task Force which has reviewed certain parts of the Land Development Code of the City of Atlanta; and

WHEREAS, the Subdivision Task Force has made certain recommendations pertaining to the method by which members are nominated to the Board of Zoning Adjustment for the purpose of clarifying the nomination process.

THE CITY COUNCIL OF THE CITY OF ATLANTA, HEREBY ORDAINS:

Section 1: that Section 6-4022 of the Land Development Code of the City of Atlanta is amended by striking the present Section 6-4022 in its entirety and replacing it with the following language which is to be codified as Section 6-4022:

Sec. 6-4022. Composition; qualifications; terms of office

(1) The board shall be composed of five (5) members appointed by the council as follows:

(a) Three members of the board shall be appointed by the council such that each of the grouped districts from which an at-large council member is elected shall have one appointee. The council members from the said grouped districts shall provide a list of no more than five (5) candidates, each of whom shall be a resident of one of the grouped districts, to the council president, who shall submit the names to the full council for election of one candidate to the board.

(b) Two (2) of the members of the board shall be appointed by the council from nominations made by the president of council from names submitted

by the council members, provide however that such persons shall be actively engaged in the professions of municipal planning, architecture, law or related professions and shall be residents of the City of Atlanta.

- (2) No member of the board shall, while serving as a member: be a full-time employee of the city; hold, or become a candidate for, elective or appointive public office in federal, state, county or municipal government; or become a nonresident of the city.
- (3) Appointees shall serve for a term of three (3) years or until a successor is appointed and qualified. Any vacancy in the membership of the board shall be filled for the unexpired term in the same manner as the initial appointment. No person shall serve more than six (6) years as a member of the board.

Section 2: that all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.